

**Testimony of the National Consumer Law Center, on Behalf of Its Low-Income Clients
Before the Senate Committee on Appropriations
Subcommittee on Labor, Health & Human Services, Education, and Related Agencies**

FY 2020 Appropriations for the HHS Low Income Home Energy Assistance Program

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The federal Low Income Home Energy Assistance Program (LIHEAP)² is the cornerstone of government efforts to help needy seniors and families stay warm and avoid hypothermia in the winter, as well as stay cool and avoid heat stress (even death) in the summer. LIHEAP is an important safety net program for low-income, unemployed and underemployed families struggling in this economy. LIHEAP has helped approximately 6 million households afford their energy bills in FY 2019.³ *In light of the crucial safety net function of this program in protecting the health and well-being of low-income seniors, consumers with disabilities, and families with very young children, we respectfully request that LIHEAP be funded at no less than \$4.7 billion for FY 2020.*

The Urgent Need for Adequate LIHEAP Appropriations

Funding LIHEAP at no less than \$4.7 billion for the regular program in FY 2020 would restore LIHEAP funding to FY 2011 levels and will help protect the health and well-being of an estimated additional one million fragile households according to the National Energy Assistance Directors' Association.⁴

One indicator of the growing need for energy assistance is the growing number of disconnections. In states like Iowa that track utility credit and collections information, the involuntary disconnection of residential gas and electric customers increased by 123% between 1999 and 2018. For the year ending December 1999, there were less than 25,000 involuntary disconnections in Iowa. For the calendar year ending December 2018 the disconnections had more than doubled to well over 55,000. The increase over the long term in disconnection of vital home energy and utility services, as seen in Iowa, may be observed in states around the country that collect and report such information, including Ohio, Pennsylvania, California, and Massachusetts. For very poor, struggling households, LIHEAP helps bring the cost of these essential heating and cooling services within reach for an estimated 6 million low-income households and helps them stay connected.

Energy bills are not affordable for struggling, low-income households. The average LIHEAP household in 2015 devoted over 8% of total household income just for home energy services, compared to an average of under 4% for all U.S. households. Home energy is also more

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² 42 U.S.C. §§ 8621 *et seq.*

³ Testimony of the National Energy Assistance Directors' Association, House Subcommittee on Labor, Health and Human Services and Education and Related Agencies (April 8, 2019).

⁴ Testimony of the National Energy Assistance Directors' Association, House Subcommittee on Labor, Health and Human Services and Education and Related Agencies (April 8, 2019).

expensive during prolonged periods of extreme temperatures because households use more fuel to keep the home at safe temperatures. Prolonged colder than normal temperatures, such as the sharp cold wave that resulted in 22 deaths and affected a wide swath of the country January to March 2019⁵ can result in an unexpected, increased use of heating fuels. Likewise, prolonged hot temperatures can result in an increased need for air conditioning, particularly for consumers with certain medical conditions.⁶

Yet, struggling low-income households are at risk of disconnection from essential utilities because they do not have the savings or income on hand to afford their energy bills. The Federal Reserve finds that 4 in 10 households report that they would have difficulty with an unexpected expense of \$400 and that 3 in 10 households are either unable to pay their bills or are a modest financial setback from hardship.⁷ A growing body of research is documenting the rise in household income volatility (the dramatic fluctuation of income over time) and the impacts on household well-being.⁸ Approximately one-third of households experience income volatility⁹ and irregular work schedules were the leading cause of volatility.¹⁰ When income is hard to predict from week-to-week and month-to-month, paying for necessities such utility service can be difficult, if not impossible without help from programs like LIHEAP. Households experiencing income volatility tend to turn to more expensive alternative financial services products such as payday loans.¹¹ Analysis of material hardship for low and moderate income consumers

⁵ See e.g., “Extreme cold in the Midwest led to high power demand and record natural gas demand,” US Energy Information Administration, Today in Energy (Feb. 26, 2019) available at <https://www.eia.gov/todayinenergy/detail.php?id=38472>; “January – February 2019 North American cold wave”, https://en.wikipedia.org/wiki/January%E2%80%93February_2019_North_American_cold_wave.

⁶ Lynne Page Snyder and Christopher Baker, *Affordable Home Energy and Health: Making the Connections*, AARP Public Policy Institute (June 2010) at pp.10-11, available at <https://www.aarp.org/money/low-income-assistance/info-06-2010/2010-05-consumer.html>.

⁷ Board of Governors of the Federal Reserve, *Report on the Economic Well-Being of U.S. Households in 2018* (May 2019) at p.21, available at <https://www.federalreserve.gov/consumerscommunities/files/2018-report-economic-well-being-us-households-201905.pdf>.

⁸ See e.g., Federal Reserve *Survey of Household Economics and Decisionmaking* reports available at <https://www.federalreserve.gov/consumerscommunities/shed.htm>; The Aspen Institute Expanding Prosperity Impact Collaborative (EPIC) series on the issue of income volatility available at <http://www.aspenepic.org/epic-issues/income-volatility/>; Pew Charitable Trusts, *How Income Volatility Interacts with American Families; Financial Security* (March 9, 2017) available at <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2017/03/how-income-volatility-interacts-with-american-families-financial-security>.

⁹ Daniel Schneider and Kristen Harknett, *Income Volatility in the Service Sector: Contours, Causes, and Consequences* (July 2017) at p.3, available at <http://www.aspenepic.org/epic-issues/income-volatility/issue-briefs-what-we-know/issue-brief-income-volatility-service-sector/>; Board of Governors of the Federal Reserve, *Report on the Economic Well-Being of U.S. Households in 2018* (May 2019) at p.2, available at <https://www.federalreserve.gov/consumerscommunities/files/2018-report-economic-well-being-us-households-201905.pdf>.

¹⁰ “Income Volatility: A Primer (May 1, 2016) The Aspen Institute Financial Security Program and EPIC at p.5, available at <https://www.aspeninstitute.org/publications/income-volatility-a-primer/>; Daniel Schneider and Kristen Harknett, *Income Volatility in the Service Sector: Contours, Causes and Consequences* (July 2017) at p.3, available at <http://www.aspenepic.org/epic-issues/income-volatility/issue-briefs-what-we-know/issue-brief-income-volatility-service-sector/>; Asset Funders Network, *Income Volatility: Why it Destabilizes Working Families and How Philanthropy Can Make a Difference* at p.6, available at <https://assetfunders.org/resource/afn-income-volatility-2017/>.

¹¹ Daniel Schneider and Kristen Harknett, *Income Volatility in the Service Sector: Contours, Causes and Consequences* (July 2017) at p. 9, available at <http://www.aspenepic.org/epic-issues/income-volatility/issue-briefs->

experiencing income volatility found much higher rates of skipped bills, skipped medical care, skipped housing payments and food insecurity.¹²

LIHEAP protects the health and safety of the frail elderly, the very young and those with chronic health conditions, such as diabetes, that increase susceptibility to temperature extremes. LIHEAP assistance also helps keep families together by keeping homes habitable during the bitter cold winter and sweltering summers.

LIHEAP Is a Critical Safety Net Program for the Elderly, the Disabled and Households with Young Children

Dire Choices and Dire Consequences: Recent national studies have documented the dire choices low-income households face when energy bills are unaffordable. Because adequate heating and cooling are tied to the habitability of the home, low-income families will go to great lengths to pay their energy bills. According to the US Energy Information Agency (EIA), one in three households face challenges meeting energy needs, with over 20 percent forgoing basic necessities to pay their energy bills, over 10% report keeping their home at unsafe temperatures and almost 15% received a disconnection notice.¹³ EIA's analysis is consistent with other studies showing that low-income households faced with unaffordable energy bills cut back on necessities such as food, medicine and medical care.¹⁴ The U.S. Department of Agriculture has documented the connection between low-income households, especially those with elderly persons, experiencing very low food security and heating and cooling seasons when energy bills are high.¹⁵ A pediatric study in Boston documented an increase in the number of extremely low weight children, age 6 to 24 months, in the three months following the coldest months, when compared to the rest of the year.¹⁶ It is shocking that in this wealthy nation, so many face heat-or-eat choices where families go without food during the winter to pay their heating bills, and

[what-we-know/issue-brief-income-volatility-service-sector/](#) (almost a quarter of consumers reporting week-to-week volatility report using payday lenders).

¹² Stephen Roll, David S. Mitchell, Krista Holub *et al.*, *Responses to and Repercussions from Income Volatility in Low- and Moderate-Income Households: Results from a National Survey*, Aspen Institute EPIC, Center for Social Development, Intuit Tax & Financial Center (Dec. 2-17) at pp 6-7, available at

<https://www.aspeninstitute.org/publications/responses-repercussions-income-volatility-low-moderate-income-households-results-national-survey/>.

¹³ "One in three U.S. households faces a challenge in meeting energy needs," US Energy Information Administration, Today in Energy (Sept. 19, 2018) available at

<https://www.eia.gov/todayinenergy/detail.php?id=37072>.

¹⁴ See e.g., National Energy Assistance Directors' Association, *2018 National Energy Assistance Survey*, Tables in section IV, F and G (Dec. 2018)(to pay their energy bills, 32% of LIHEAP recipients went without food, 41% went without medical or dental care, 31% did not fill or took less than the full dose of a prescribed medicine, 13% got a payday loan). Available at <http://neada.org/wp-content/uploads/2015/03/liheapsurvey2018.pdf>.

¹⁵ Mark Nord and Linda S. Kantor, *Seasonal Variation in Food Insecurity Is Associated with Heating and Cooling Costs Among Low-Income Elderly Americans*, *The Journal of Nutrition*, 136 (Nov. 2006) 2939-2944.

¹⁶ Deborah A. Frank, MD *et al.*, *Heat or Eat: The Low Income Home Energy Assistance Program and Nutritional and Health Risks Among Children Less Than 3 years of Age*, *AAP Pediatrics* v.118, no.5 (Nov. 2006) e1293-e1302. See also, Child Health Impact Working Group, *Unhealthy Consequences: Energy Costs and Child Health: A Child Health Impact Assessment Of Energy Costs And The Low Income Home Energy Assistance Program* (Boston: Nov. 2006) and the *Testimony of Dr. Frank Before the Senate Committee on Health, Education, Labor and Pensions Subcommittee on Children and Families* (March 5, 2008).

their children fail to thrive and grow. A 2007 Colorado study found that the second leading cause of homelessness for families with children is the inability to pay for home energy.¹⁷

When people are unable to afford paying their home energy bills, dangerous and even fatal results occur. In the winter, families resort to using unsafe heating sources, such as space heaters, ovens and burners, all of which are fire hazards. Space heaters pose 3 to 4 times more risk for fire and 18 to 25 times more risk for death than central heating. In 2007, space heaters accounted for 17 percent of home fires and 20 percent of home fire deaths.¹⁸ In the summer, the inability to keep the home cool can be lethal, especially to seniors. According to the CDC, older adults, young children and persons with chronic medical conditions are particularly susceptible to heat-related illness and are at a high risk of heat-related death. The CDC reports that 3,442 deaths resulted from exposure to extreme heat during 1999-2003.¹⁹ The CDC also notes that air-conditioning is the number one protective factor against heat-related illness and death.²⁰ LIHEAP assistance helps these vulnerable seniors, young children and medically vulnerable persons keep their homes at safe temperatures during the winter and summer and also funds low-income weatherization work to make homes more energy efficient.

LIHEAP is an administratively efficient and effective targeted health and safety program that works to bring fuel costs within a manageable range for vulnerable low-income seniors, the disabled and families with young children. **We respectfully request that LIHEAP be funded at no less than \$4.7 billion in FY 2020.**

¹⁷ Colorado Interagency Council on Homelessness, *Colorado Statewide Homeless Count Summer, 2006*, research conducted by University of Colorado at Denver and Health Sciences Center (Feb. 2007).

¹⁸ John R. Hall, Jr., *Home Fires Involving Heating Equipment* (Jan. 2010) at ix and 33. Also, 40% of home space heater fires involve devices coded as stoves.

¹⁹ CDC, "Heat-Related Deaths – United States, 1999-2003" MMWR Weekly, July 28, 2006.

²⁰ CDC, "Extreme Heat: A Prevention Guide to Promote Your Personal Health and Safety" available at http://emergency.cdc.gov/disasters/extremeheat/heat_guide.asp.